



22nd November 2023

To: The Cathaoirleach and Each Member of the Municipal District of Newcastle West

Re: Part VIII Planning report for: Demolition and rebuilding of existing dwelling house for the provision of a 3 no. bedroom dwelling unit at No.8 Old Church Street, Abbeyfeale West, Co. Limerick

A Chomhairleoir, a chara,

I enclosed herewith the Chief Executives report prepared in accordance with Section 179(3) (a) of the Planning and Development Act 2000 (as amended) and Part VIII of the Planning and Development Regulations 2001 (as amended) in respect of proposed Part 8 Demolition and rebuilding of existing dwelling house for the provision of a 3 no. bedroom dwelling unit at No.8 Old Church Street, Abbeyfeale West, Co. Limerick.

In accordance with Section 179(4) (b) of the above Act, it is proposed to proceed as indicated in Section 8 of this report.

Is mise le meas,

STEPHANE DUCLOT
Director of Service
Rural Community and Culture Development Directorate

Encl.

Ceanncheathrú Chorparáideach, Cé na gCeannaithe, Luimneach
Corporate Headquarters, Merchant's Quay, Limerick

Memo

To: Pat Daly, Chief Executive

From: Vincent Murray, Director of Planning Environment and Place-Making

Date: 21/11/2023

Re: Part 8 proposal, Reference 23/8011- Permission for the demolition and rebuilding of existing dwelling house for the provision of a 3 no. bedroom dwelling unit and all associated site works. The site is located within Abbeyfeale Architectural Conservation Area.

Dear Chief Executive,

Please find attached for your consideration report prepared in accordance with Section 179 of the Planning and Development Act 2000 (as amended) in respect of the proposed Part 8 for the demolition and rebuilding of existing dwelling house for the provision of a 3 no. bedroom dwelling unit and all associated site works. The site is located within Abbeyfeale Architectural Conservation Area.

The proposal prepared by the Rural, Community and Culture Directorate has been evaluated taking into consideration all submissions received. It is concluded that the proposed development is in accordance with the objectives of the Limerick Development Plan 2022 – 2028, the Abbeyfeale local Area Plan 2023-2029 and the proper planning and sustainable development of the area.

It is recommended that the proposed development be recommended to the Elected Members of Limerick City & County Council for their approval.

Mary O'Malley

Signed: Mary O'Malley, Executive Planner

Donogh O'Donoghue

Signed: Donogh O'Donoghue, Senior Executive Planner

Vincent Murray

Signed: Vincent Murray, Director of Services, Planning, Environment & Place Making

**CHIEF EXECUTIVE'S REPORT & RECOMMENDATION IN ACCORDANCE
WITH SECTION 179 3(a) OF THE PLANNING & DEVELOPMENT
ACT 2000 (AS AMENDED)**

Re: Permission for the following:

Permission for the demolition and rebuilding of existing dwelling house for the provision of a 3 no. bedroom dwelling unit and all associated site works. The site is located within Abbeyfeale Architectural Conservation Area.

At: No. 8 Old Church Street, Abbeyfeale West, Co. Limerick

Reference Number 23/8011

1.0 Introduction

This report has been prepared pursuant to Section 179 of the Planning & Development Act 2000 (as amended), and Part 8 of the Planning & Development Regulations 2001 (as amended).

2.0 Description of the nature and extent of the proposed development

The site is located at No. 8 Old Church Street, just north of Abbeyfeale town centre. The proposed works involves the demolition of the existing derelict house on the site and construction of a replacement three bedroom two-storey building. The works will include clearance of vegetation and waste and construction of new boundary/retaining wall on site. Limerick City & County Council is the owner of the site.

2.1 Site Location:

The site is located at No. 8 Old Church Street, Abbeyfeale.

There are 2 drawings accompanying the part 8 proposal outlining the exact nature of works proposed at NO. 8 Old Church Street.

Site Location Map



2.2 Public Consultation:

The plans and particulars were placed on public display from the 25th September 2023 until the 23th October 2023. Submissions and observations were invited up to the 07th November 2023.

3.0 Submissions with respect to the proposed development

There were one submission received for the proposed development

No.	Name
1	Mid West Road Design Office

SUB (1) Mid West Road Design Office

Submission Summary:

No observations to make

Chief Executive's Response:

Noted

4.0 Habitats Directive Project Screening Assessment

An Appropriate Assessment Screening Report has been undertaken by Beo Ecology Environmental Consultants for the proposed development. The screening identifies two European sites located within the zone of influence of the proposed works – the Lower River Shannon SAC and Stack's to Mullaghaherik Mountains, West Limerick Hills & Mount Eagle SPA. An assessment of the Source-Pathway-Receptor model considers the Zone of Influence of effects from the proposed works and the potential in combination with other plans and projects. Their report concludes that the proposed development is not likely to have a significant effect on any European Site. It notes there is no hydrological pathway connecting the site and the SAC. No land take is proposed from any European sites. There are no ecological or environmental vectors linking the proposed development works to the European sites. The report concludes that based on objective information, the possibility may be excluded that the proposed works will have a significant effect on any Natura 2000 site. Overall the Planning Authority is satisfied that the development as proposed should not exercise a significant effect on the conservation status of any SAC or SPA and therefore an Appropriate Assessment is not necessary.

5.0 Environmental Impact Assessment Screening

An EIA Screening Report has been prepared by Beo Ecology and submitted with the application which considers whether an EIA is required for the proposed development. The Screening report concludes that the development does not fall within any of the threshold requirements for a mandatory EIA as specified in Section 5 of the Planning and Development Regulations 2001, as amended. The size and scope of the development is limited and does not require the preparation of an Environmental Impact Assessment Report.

6.0 Bat Survey Report

A Bat Survey report has been prepared by Ash Ecology Environment Consultants due to the proposal to demolish a derelict house. The report also considers birds. The survey concludes that a bat derogation Licence is not required. Mitigation measures are proposed including demolition works to be carried out in winter months and placing of bat boxes and bird boxes to offset any loss of habitats. Having regard to the findings of the report, the Planning

Authority would consider that the development of the site would not have significant impacts on bats or birds.

7.0 Asbestos Survey Report

An Asbestos Survey Report was prepared for the site by Phoenix Environmental Safety Limited. It found there are asbestos cements tiles on the rear of the building. All asbestos containing material is to be removed by an asbestos removal contractor and disposed of as asbestos waste before the refurbishment works commences in accordance with S.I. No. 386 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010.

8.0 Key Policy Provisions

8.1 Limerick Development Plan, 2022-2028

The Limerick Development Plan sets out the following policies and objectives with respect to acceptable development in the location in question:

Objective CGR O20 Town and Village Revitalisation

It is an objective of the Council to:

- a. Promote and support the renewal and revitalisation of rural town and village centres to enhance the vitality and viability of settlements as attractive residential and service centres.
- b. Support and work with State Bodies, private landowners, community and voluntary groups to successfully achieve the renewal and revitalisation of Limerick's towns and village centres, including projects to re-use vacant premises and underutilised sites, enhance the unique characteristics and assets of Main Streets and improve the public realm.

Objective ECON O12 County Towns and Villages

It is an objective of the Council to strongly support the strengthening of the vitality and viability of town and village centres to enhance economic growth, enterprise and employment opportunities.

Objective HO O4 Re-use of Existing Buildings

It is an objective of the Council to encourage redevelopment and reuse, including energy retrofitting, of existing housing stock and conversion of other suitable buildings to sustainable housing accommodation

Objective EH O53 Architectural Conservation Areas

It is an objective of the Council to:

- a) Protect the character and special interest of an area, which has been designated as an Architectural Conservation Area (ACA) as set out in Volume 3.
- b) Ensure that all development proposals within an ACA be appropriate to the character of the area having regard to the Character briefs for each area.
- c) Ensure that any new development or alteration of a building within an ACA or immediately adjoining an ACA, is appropriate in terms of the proposed design, including scale, height, mass, density, building lines and materials.
- d) Seek a high quality, sensitive design for any new development(s) that are complementary and/or sympathetic to their context and scale, whilst simultaneously encouraging contemporary design which is in harmony with the area. Direction can also be taken from

using traditional forms that are then expressed in a contemporary manner, rather than a replica of a historic building style.

e) Seek the retention of all features that contribute to the character of an ACA, including boundary walls, railings, soft landscaping, traditional paving and street furniture. f) Seek to safeguard the Georgian heritage of Limerick.

8.2 Abbeyfeale Local Area Plan, 2023-2029

The site is zoned 'Existing Residential'

Objective: To provide for residential development, protect and improve existing residential amenity.

Purpose: This zoning reflects established housing areas. Existing residential amenity will be protected while allowing appropriate infill development. The quality of the area will be enhanced with associated open space, community uses and where an acceptable standard of amenity can be maintained, a limited range of other uses that support the overall residential function of the area, such as schools, crèches, doctor's surgeries, playing fields etc.

Policy DS 2: Development Strategy: It is policy of the Council to: Deliver new residential development, in accordance with the Limerick Development Plan 2022 – 2028, supporting a choice of quality housing, mixed tenure and unit size/type designed for ease of adaption to the lifecycle and universally accessible.

Policy TCF P3: Vacancy- It is policy of the Council to:

- a) Promote and facilitate the re-use of under-utilised or vacant lands/buildings in Abbeyfeale through the active land management mechanisms, under the Derelict Sites Act, 1990 (as amended), the Urban Regeneration and Housing Act 2015 (for vacant sites), Residential Zoned Land Tax and also guided by key Government policies, such as Town Centre First, Our Rural Future, and Housing for All and any replacements thereof. The Council will engage with property owners to advise on remedial measures and give guidance on schemes and supports available to bring vacant and derelict buildings back into productive use.
- b) Support the provision of new services, economic opportunities, improved infrastructure, public realm, and the provisions of the Town Centre First programme to encourage the re-use of buildings and underused lands in Abbeyfeale's town centre.

Objective CH 05: Built Heritage:

It is an objective of the Council to promote the protection and improvement of built heritage in accordance with NPO 11 of Project Ireland 2040, RSES, Limerick Development Plan 2022 – 2028 and Section 28 Guidelines, including the Architectural Heritage Protection Guidelines for Planning Authorities.

Objective CH 07: Architectural Conservation Areas (ACA's):

It is an objective of the Council to:

- a) Protect, conserve and where appropriate, enhance the ACA's as identified in Map 4. The design of any development proposed in the Architectural Conservation Area, including any changes of use of an existing building, should preserve and/ or enhance the character and appearance of the Architectural Conservation Area as a whole.
- b) Promote shopfront improvements and building facades enhancements in Abbeyfeale town centre, with particular focus within the ACA, while safeguarding the character of the buildings and subject the necessary consents and funding.
- c) Proposals for development within the ACA's shall;

- Reflect and respect the scale and form of existing structures within the ACA's in proportioning, overall scale and use of materials and finishes, particularly with reference to the street frontages and seek to contribute to or enhance the character and streetscape of the ACA's;
- Seek to retain/incorporate/replicate exterior features which contribute or enhance the character and streetscape of the ACA's such as shop fronts, sash windows, gutters and down pipes, decorative plasterwork etc.;
- Ensure priority is given to the pedestrian, to inclusive access, and to facilitating the improvement of the quality of the public realm: the latter will include for consideration of planting of trees in the wider public open spaces, benches for sitting and the articulation of uses through appropriate paving.

9.0 Appraisal

The proposed Part 8 is to demolish an existing dwelling and the construction of a new 3 no. bedroom dwelling unit. The proposed design includes the following:

- a. demolition of the existing derelict house on the site;
- b. construction of a replacement three bedroom two-storey building;
- c. clearance of vegetation and waste; and
- d. construction of new boundary/retaining wall on site.

The proposed works are considered necessary in order to provide a safe standard of accommodation on the site. The existing dwelling on site is in a poor state repair and has been derelict for some time. While the site is within the Architectural Conservation Area of Abbeyfeale Town, the proposal to replace the existing dwelling with a well designed three bedroom house, is regarded as a positive development for the town. The proposed scheme will not impact on any protected sites or protected monuments. The proposed scheme will not impact on air quality or generate noise other than noise associated with the necessary construction works and which will occur during set working times. A bat survey was carried out and no bat roosts were detected. All asbestos containing material will be removed by an asbestos removal contractor and disposed of as asbestos waste before the refurbishment works commence.

Overall the proposal is considered to be in line with the policies and objectives set out in the Limerick Development Plan, 2022-2028 and the Abbeyfeale Local Area Plan 2023-2029.

10. Conclusion

Having regard to the foregoing evaluation and the reason and considerations as set out, the Chief Executive is satisfied that the proposal is in accordance with the objectives of the Limerick Development Plan, 2022 – 2028, the Abbeyfeale Local Area Plan 2023-2029 and the proper planning and sustainable development of the area. Pursuant to Section 179(3)(a) of the Planning and Development Act 2000 (as amended) the proposed development is recommended to the Elected Members of Limerick City & County Council for their approval


 Dr. Pat Daly
 Chief Executive,
 Limerick City & County Council
 Date: 22.11.2023

